

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL BRODIE,

Plaintiff

v

Supt. JOHN D. FISHER, *et al.*,

Defendants

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CIVIL ACTION NO. 3:16-0208

(JUDGE MANNION)

**ORDER**

For the reasons set forth in the Memorandum of this date, **IT IS  
HEREBY ORDERED THAT:**

1. Defendant's motion to dismiss Plaintiff's complaint for failure to state a claim, pursuant to [Fed.R.Civ.P. 12\(b\)\(6\)](#), (Doc. [13](#)) is **GRANTED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

*s/ Malachy E. Mannion*

**Malachy E. Mannion**  
**United States District Judge**

**DATE:** March 23, 2017